### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

Richard C. Smith; Diann Y. Smith

Title:

Ambidextrous Earpiece

Serial No.:

10/769,158

Filing Date:

January 29, 2004

Examiner:

Unassigned

Group Art Unit:

2644 7774

Docket No.:

M-15596 US

Confirmation No.

Irvine, California June 6, 2005

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Dated: June 6, 2005

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Telephone: (949) 752-7040 Fax: (408) 392-9262

law offices of Macfherson Kwok Chen & Heid Llp

1962 TRCHNOLOGY DRIVE SUITE 226 SAN 1058, CA 93110 (949) 752-7040 FAX (408) 392-9262

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Ambidextrous Earpiece

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January 29, 2004

Examiner: Docket No.: Unassigned M-15596 US Group Art Unit: Confirmation No. 2644 7774

Irvine, California
June 6, 2005

Mail Stop AMENDMENT Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

# INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.56

Sir:

It is requested that the information identified in this statement be considered by the Examiner and made of record in the above-identified application. This statement is not intended to be an admission that the documents cited herein are necessarily prior art with respect to the instant invention, a representation that a search has been made, or that the information cited in the statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56.

#### Enclosed with this statement are the following:

- Form PTO/SB/08A. The Examiner is requested to initial the form and return it to the undersigned in accordance with M.P.E.P. §609.
- A copy of each cited non-U.S. document as required by 37 C.F.R. §1.98 (except where otherwise indicated for a specific citation).

This statement should be considered because this statement qualifies under 37 C.F.R. §1.97, subsection (e) because each item of information contained in the information disclosure statement was first cited in a communication from PCT Search Report PCT/US20/04002675 (copy attached) not more than three months prior to the filing of this information disclosure statement.

Fee Authorization. Although it is believed that no fee is due, the Commissioner is hereby authorized to charge underpayment of any additional fees or credit any overpayment associated with this communication to Deposit Account No. 50-2257.

MacPherson, Kvok, Chee & Held LLP 1762 Technology Drive Saite 226 Sm Jess, CA 93110 Telephone (949) 752-7040 Fax (603) 193-9242

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Respectfully submitted,

Norman E. Carte Attorney for Applicants Reg. No. 30,455

Appln. No. 10/769,158

PTO/SB/08A (08-03)

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	Application Number	10/769,158		
INFORMATION DISCLOSURE	Filing Date	January 29, 2004		
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)	First Named Inventor	Richard C. Smith		
	Art Unit	2644		
	Examiner Name	Dabney, Phylesha L.		
Sheet 1 of 1	Attorney Docket Number	M-15596 US		

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		<sup>US-</sup> 3,787,643	01-22-1974	Neilson		
		<sup>US</sup> -6,122,388	09-19-2000	Feldman		
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